

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-cr-62-pp

BRIAN L. GANOS, *et al.*,

Defendants.

**RESTRAINING ORDER REQUIRING DEFENDANTS SONAG COMPANY AND
BRIAN GANOS TO ESCROW ALL FUTURE PAYMENTS SONAG COMPANY
RECEIVES FOR ITS SALE OF ITS INTEREST IN SONAG READY MIX**

The United States submitted an *ex parte* Application for Post-Indictment Restraining Order to Require Defendants Sonag Company and Brian Ganos to Escrow All Future Payments that Sonag Company Receives for the Sale of its Interest in Sonag Ready Mix under 21 U.S.C. §853(e), along with a supporting affidavit.

Based on the information in the application and the affidavit, the court finds that there is probable cause to believe that if Sonag Company, Brian Ganos, or both are convicted of one or more of the money laundering conspiracy and spending laundering offenses charged in the superseding indictment, all right, title, and interest in defendant Sonag Company are subject to criminal forfeiture under 18 U.S.C. § 982(a)(1) on the ground that Sonag Company substantially facilitated, and was therefore was “involved in,” one or more of those money laundering offenses.

The court finds probable cause to believe that because defendant Sonag Company as a whole would be subject to forfeiture in that event, Sonag Company’s and defendant Brian Ganos’s rights to receive payments from

Sonag Ready Mix LLC (“SRM”) and SRM’s co-owner Nicholas Rivecca under a Redemption Agreement dated February 19, 2018 (between SRM, Sonag Company, and Brian Ganos, concerning Sonag Company’s sale to SRM of Sonag Company’s one-half interest in SRM) are subject to criminal forfeiture under 18 U.S.C. § 982(a)(1).

The court concludes that because there is probable cause to believe that defendant Sonag Company’s rights to receive payments under the Redemption Agreement are subject to forfeiture, (a) any future installment payments that SRM is to make to Sonag Company, Ganos or both under the Redemption Agreement and (b) any funds now in the possession of Sonag Company or Ganos that consist of, or are traceable to, past installment payments under the Redemption Agreement are subject to mandatory post-indictment restraint under 21 U.S.C. § 853(e).

The court **GRANTS** the United States’ *ex parte* Application for Post-Indictment Restraining Order to Require Defendants Sonag Company and Brian Ganos to Escrow All Future Payments that Sonag Company Receives for the Sale of its Interest in Sonag Ready Mix.

The court **ORDERS** that defendants Sonag Company and Brian Ganos shall, within three days of this order, direct Sonag Ready Mix, LLC to direct any and all future payments due under the Redemption Agreement to the United States Marshals Service (“USMS”) pending further order of the court.

The court **ORDERS** that, within fourteen days of this order, defendants Sonag Company and Brian Ganos shall: (a) account for all installment payments that either or both of them have received to date from SRM under the Redemption Agreement and (b) turn over to the USMS, to be held in escrow for


potential forfeiture, any funds still in the possession of Sonag Company, Ganos or both that consist of, or are traceable to, such past installment payments.

The court **ORDERS** that the USMS shall promptly deposit (a) any future payments that the USMS receives from SRM under the Redemption Agreement, and (b) any funds that the USMS receives from Sonag Company, Brian Ganos or both under the paragraph immediately above, into the United States Department of Justice's Seized Asset Deposit Fund ("SADF"). The USMS shall hold the payments and funds that it deposits into the SADF under this paragraph in escrow for potential forfeiture or return upon resolution of this criminal case, including all asset forfeiture proceedings.

The court **ORDERS** that it shall retain jurisdiction of this matter for all purposes. The terms of this order shall remain in full force and effect pending further order of the court or entry of one or more judgments in this criminal case disposing of the monies at issue.

Dated in Milwaukee, Wisconsin this 1st day of March, 2019.

BY THE COURT:


HON. PAMELA PEPPER
United States District Judge